

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JEANNIE ATIENZA,  
Plaintiff,

v.

TOWN OF DANVILLE, et al.,  
Defendants.

Case No. [19-cv-03440-RS](#)


**ORDER GRANTING DISMISSAL  
OF DEFENDANTS AND  
WITHDRAWAL OF PLAINTIFF'S  
MOTION TO DISMISS**

Pursuant to stipulation by the parties, plaintiff's claim for relief for liability under *Monell v. Department of Social Services*, 436 U.S. 658 (1978) and defendants Town of Danville and County of Contra Costa are dismissed from this action without prejudice. Each party is to bear their own attorneys' fees and costs in relation to the dismissed parties and claims. Plaintiff is given leave to file a First Amended Complaint that removes the claims against Andrew Hall in his official capacity within five days of this Order. Defendants' response is due within twenty-one days after plaintiff's First Amended Complaint.

Defendants have withdrawn their currently pending Motion to Dismiss, ECF No. 14, and the Court vacates the October 3, 2019 hearing on that motion.

**IT IS SO ORDERED.**

Dated: September 6, 2019



RICHARD SEEBORG  
United States District Judge